

Notice of Allowability

Application No.

10/823,934

Examiner

Minh-Chau T. Pham

Applicant(s)

STELZER ET AL.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 9/21/06.
2. ☒ The allowed claim(s) is/are 3-6, 8, 9, 12-16 and 23 (renumbered 1-12 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

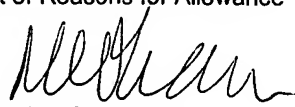
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Minh-Chau Pham
Patent Examiner
Art Unit: 1724

Allowable Subject Matter

Claims 3-6, 8, 9, 12-16 and 23 allowed.

The closest relevant art is Shohet et al (3,449,891) wherein Shohet et al disclose an air induction system for an engine of an aircraft to receive intake air, remove contaminants from the intake air, and provide the intake air for delivery to the engine comprising a housing (66) having a hollow interior with at least one entryway (36) for receiving intake air to the housing (66), a contaminant separator (24, 26) for removing contaminants from the air, and an exit for discharge of air from the housing, a duct (50) positioned adjacent the exit of the housing (66) to receive intake air therefrom for delivering the air to the engine (see details of Fig. 2, col. 5, line 51 through col. 6, line 10), a seal (118) positioned between the housing and the duct for preventing passage of air therethrough (col. 6, lines 29-70). Shohet et al further disclose the housing comprising a nacelle and a frame at the back end of the nacelle with the exit wherein the front of the duct (50) is received through the opening (see details of Figs. 2, 3 & 7), an entryway comprising an opening (38) formed in the housing (66), the contaminant separator (24) being mounted across the entryway (36) and the separator having a porous media (see 24 in Fig. 2). Shohet et al also disclose the air induction system comprising a rod (252) securing the nacelle wherein the first end secured to the frame being slidably movable in a slot attached to the frame and being arranged a locking position when the nacelle swings to the open position (see col. 8, line 44 through col. 9, line 44). Shohet et al also show in Fig. 4, the seal (118) is located outside of the

passageway (66) or in Fig. 5, the seal (111) is located outside the passageway (110), and none of the seal is exposed to air flowing in the internal passageway of the duct.

Claims 3-6, 8, 9, 12-16 and 23 of this instant patent application differ from the disclosure of Shohet et al in that the seal extending around the outer surface of the duct such that the seal is not exposed to air flowing in the flow path inside the duct, the seal being formed from an elastic material for permitting relative movement between the duct and the housing of the nacelle while maintaining an airtight seal between the duct and the housing, the seal being stretchable to about twice its unloaded length without damaging the seal, and the seal including a slack portion equal to about twice the length required for the seal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Minh-Chau Pham
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Art Unit : 1724
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